

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MKS INSTRUMENTS, INC.,

Plaintiff,

No. C 09-02297 JSW

v.

NEW POWER PLASMA and DOES 1-10,
inclusive,

Defendants.

**ORDER GRANTING
APPLICATION FOR
TEMPORARY RESTRAINING
ORDER**

To Defendant New Power Plasma ("NPP"):

For the reasons stated on the record, you are hereby ordered to show cause at 9:00 a.m. on July 31, 2009, in Courtroom 11 of the United States District Court located at 450 Golden Gate Avenue, San Francisco, California 94102, why you, your officers, agents, servants, employees, and attorneys, and any other persons who are in active concert or participation with any of the foregoing persons, should not be restrained and enjoined pending trial of this action from:

- a. testing, undertaking a qualification process, or experimenting with and any other use of NPP low-field toroidal reactive gas sources in the United States; and/or
- b. removing NPP low-field toroidal reactive gas sources, or any other evidence relevant to such products, from the jurisdiction of this Court.

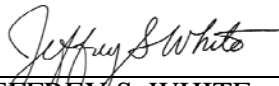
1 Pending hearing on the above Order to Show Cause, you, your officers, agents, servants,
2 employees, and attorneys, and any other persons who are in active concert or participation with
3 any of the foregoing person are HEREBY RESTRAINED AND ENJOINED FROM:

- 4 a. testing, undertaking a qualification process, or experimenting with and
5 any other use of NPP low-field toroidal reactive gas sources in the United
6 States; and/or
7 b. removing NPP low-field toroidal reactive gas sources, or any other
8 evidence relevant to such products, from the jurisdiction of this Court.

9 No security is required in this matter. As per the parties' stipulation, any response or
10 opposition to this Order to Show Cause must be filed and served by electronic mail on
11 Plaintiff's counsel no later than July 17, 2009, with hard copies delivered to chambers the same
12 day. Any reply must be filed and served by electronic mail on NPP no later than July 24, 2009,
13 with hard copies delivered to chambers the same day. The Court shall conduct a hearing on
14 July 31, 2009 at 9:00 a.m.

15
16 **IT IS SO ORDERED.**

17
18 Dated: June 25, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE